



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VANDYKE JOHNSON,

Plaintiff,

-against-

CITY OF NEW YORK, et al.,

Defendants.

20-CV-3083 (GBD) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

Defendant Bronx Health Care System (Bronx Health Care) filed a motion to dismiss (Dkt. No. 30) on February 5, 2021. The motion fails to comply with Local Civil Rule 12.1 in that it does not include the required notice to the plaintiff, who is proceeding pro se, concerning the various materials outside the pleadings relied upon in the motion.

The required notice, the full text of which appears in Local Civil Rule 12.1, is required to be served and filed "at the time the motion is served."

It is hereby ORDERED that Bronx Health Care shall (1) re-serve its motion to dismiss and supporting documents on the pro se plaintiff, including the notice described in Local Civil Rule 12.1; and (2) re-file its motion papers, including the Local Civil Rule 12.1 notice, together with a certificate of service.

Chambers staff will mail a copy of this Order to pro se plaintiff Vandyke Johnson.

The Clerk of Court is respectfully directed to close the motion at Dkt. No. 30.

Dated: New York, New York
February 8, 2021

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge